Remarks

The present Response is to the Office Action mailed 03/17/2009. Claims 32-41 are presented for examination.

Claim Rejections - 35 USC § 103

5.   Claims 32-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Leary et al. (hereinafter O'Leary) U.S. Patent 6,609,113 in view of Dent et al. (hereinafter Dent) U.S. Patent 6,128,603 in further view of Making the Smart Investment In Personal Finance Software, Working At Home (hereinafter Working At Home).

Regarding claims 32 and 37, O'Leary teaches a billing system for a network, comprising:

a first enterprise hosing integrated transaction services provided for scraping and aggregating personal information (PI) specific to an end user, and providing PI and transaction services to the end user (column 9, line 9 thru column 10, line 13);

a plurality of second enterprises maintaining at least one financial account specific to the end user in which the end user has a monetary balance, each of the second enterprises providing account information to the first enterprise (column 10, line 59 thru column 11, line 27 and column 11, line 62 thru column 12, line 7);

a plurality of third enterprises maintaining a billing account specific to the end user, each of the third enterprises providing billing information to the first enterprise (column 23, lines 63 thru column 24, line 49).

O'Leary teaches that an interactive software graphical user interface provided by the first enterprise and executable on an end user's appliance (column 9, lines 9-30 and column 26, lines 22-59). O'Leary fails to teach at least one indication representing the user's financial account, and at least one indication representing at least one bill associated with a billing account on which a balance is owed and instructing the first enterprise to pay the bill using funds from the financial account by dragging the indication of the account to the indication of the bill.

Dent teaches a consumer based system and method for managing and paying electronic billing statements in which there exists at least one indication representing a user's financial account (column 3, lines 38-44) and at least one indication representing at least one bill associated with a billing account for which a monetary balance is owed by the user (column 7, line 56 thru column 8, line 2). Dent further teaches instructing bill payment by dragging the indication of the bill to the account (column 8, lines 36 thru column 9, line 20 and Figure 7). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of O'Leary to include the drag and drop teachings of Dent since both O'Leary and Dent teach account management specifically with billing and it specifies a method for an active interaction method of bill payment that keeps the customer informed of their billing information.

O'Leary and Dent fail to teach dragging the account to the bill. Working At Home teaches personal finance software that helps to manage finances by keeping track of bank accounts, credit card accounts, expenses, taxes and income (page 2, top). One software discussed, Kiplinger's CA-Simply Money contains drag and drop buttons that allow a user to drag their checking account button and drop it on the electric company button to pay the electric bill (page 7, middle). This software therefore teaches dragging the account to the bill. Working At Home further teaches that buttons can be created for a plurality of accounts including bank accounts and credit card accounts, such as checking, savings, credit card and money market accounts (page 7, third paragraph under Kiplinger's heading). The buttons allow for performing basic finance tasks, liking scheduling payments and allow for bill payment by using a bill payment service (page 7, sixth paragraph under Kiplinger's heading). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of O'Leary in view of Dent to include the teachings of Working At Home because it allows for the payment of bills by manipulating a graphical user-interface similar to Dent. Since only one account is required in the claim, it would be obvious to one of ordinary skill in the art that dragging the account to the bill, or the bill to the account are obvious modifications since they accomplish the same instructions for payment.

Claims 33 and 38, O'Leary teaches that the network is the Internet network (column 9, lines 9-30).

Claims 34 and 39, Dent teaches at least two or more indications representing bills due (column 7, lines 56 thru column 8, line 2 and Figure 5). Dent also teaches the use of a checking account in the bill payment and also allows for the cash flow analyzer to recommend at certain times, payment to other accounts such as credit cards (column 10, lines 1-14). This recommendation is an indication of a second account. Work At Home teaches that the buttons represent multiple accounts including bank and credit card accounts (page 7, middle). Work At Home teaches dragging one of the account buttons to the bill desired to pay (page 7, middle). Dent and Work At Home teach instructing bill payment with drag and drop software and both teach the ability to use bank accounts. While Dent teaches recommending using a credit card, Dent fails to actually teach implementing the credit card as drag and drop whereas Work At Home allows for a finance button such as bank account or credit card account to be dragged and drop for payment of a bill. Therefore, the bank account or credit card account button can be dragged for payment. There is sufficient motivation to combine the teachings of O'Leary with Dent and Work At Home because they provide an efficient manner for paying bills.

Claims 35 and 40, wherein the billing information is provided to the service by the third enterprise maintaining a billing account specific to the end user (column 23, lines 63 thru column 24, line 49).

Claims 36 and 41, wherein the billing information is provided to the user and the user enters the billing information to the service utilizing the software (column 23, lines 63 thru column 24, line 49 and column 25, lines 24-41).

Applicant's response:

Applicant disagrees with the Examiner's interpretation of O'Leary when applying said interpretations to applicant's claim language. Regarding claims 32 and 37, the Examiner states O'Leary teaches, "a first enterprise hosting integrated transaction services provided for scraping and aggregating personal information (PI) specific to an end user, and providing PI and transaction services to the end user (column 9, line 9 thru column 10, line 13);" Applicant respectfully disagrees.

Applicant argues that there is no disclosure that the wallet application or the hosting payment portal processor "PPP" scrapes and aggregates personal information (PI) specific to an end user, as claimed. O'Leary teaches that information about the user is stored:

In a preferred embodiment the PPP enhanced Wallet 215 stores the following types of information: Form filling information such as credit card numbers, debit card numbers, shipping addresses, alternate shipping addresses, frequent flyer accounts, membership discounts (e.g., AAA, AARP), loyalty programs and e-mail addresses; Discount information such as e-coupons, rebates and merchant-specific spending certificates; Points or miles accrued for use of the accounts associated with the PPP 227; and Convenience information such as frequently paid VPL #'s (described below), bill payment account #'s, receipts, e-commerce bookmarks, shopping lists. A preferred download folder is installed on the user's local hard drive. The PPP enhanced Wallet 215 has pull down menus that are used to select, edit, update, sort, import and export any of the above information. (col. 9, line 65 to co. 10, line 13)

Applicant argues that all of the information listed above is not scraped and aggregated by O'Leary's PPP, but directly provided, accessed and saved by the user. Applicant's invention specifically teaches and claims an ability for the first enterprise to (see Fig. 12; 1201) pull personal information (PI) data from the providers under several sets of circumstances. This is the process termed scraping. In this process, some data requires security identification of the persons for whom data is being scraped and aggregated.

O'Leary clearly does not teach applicant's claimed capability of scraping and aggregating personal information for a user.

The Examiner states O'Leary teaches, "a plurality of second enterprises maintaining at least one financial account specific to the end user in which the end user has a monetary balance, each of the second enterprises providing account information to the first enterprise (column 10, line 59 thru column 11, line 27 and column 11, line 62 thru column 12, line 7);"

Applicant argues the first enterprise providing the PPP and wallet of O'Leary is bank 220. All financial accounts used to transfer funds are held at bank 220. Thus, O'Leary fails to teach a plurality of second enterprises maintaining at least one financial account specific to the end user in which the end user has a monetary balance, each of the second enterprises providing account information to the first enterprise, as claimed. O'Leary does teach that a user may transfer funds to an IPA account at bank 220 to fund the account to be used for EFTs, but the PPP of O'Leary does not maintain information such as monetary balance at financial accounts at a plurality of secondary enterprises, as claimed (col. 11, lines 53-56; col. 11, line 62 – col. 12, line 3).

The Examiner states O'Leary teaches, "a plurality of third enterprises maintaining a billing account specific to the end user, each of the third enterprises providing billing information to the first enterprise (column 23, lines 63 thru column 24, line 49)." Applicant argues that in all embodiments taught in the cited portion of O'Leary, the billers notify the user that a bill is due, i.e. email. The user may then navigate to the biller's Web site and instruct PPP to pay the bill. Applicant argues that in applicant's invention, the First enterprise receives or scrapes the information from the third enterprise, presents it to the user and the user may instruct the First enterprise to pay the bill. In this manner, the user does not have to navigate to bill pay sites, as all instruction set by the user occurs at the portal at the First enterprise, as claimed.

The Examiner relies upon the art of Dent to teach at least one indication representing the user's financial account, and at least one indication representing at least one bill associated with a billing account on which a balance is owed and instructing the

first enterprise to pay the bill using funds from the financial account by dragging the indication of the account to the indication of the bill.

As previously argued, Dent provides a credit card financial account which is manipulated by software on the customer's computer, which is a desk-top accounting program. The system of Dent operates within one financial account in order to schedule bill paying according to a schedule to maximize cash flow in said financial account. There are no financial accounts to choose from in the art of Dent, there is only one (second enterprise). Dent must provide a separate system or instance of accounting software for each account the customer wishes to use to pay bills, as clearly evidenced in col. 8, line 36 to col. 9, line 20; and Fig. 7. In applicant's invention the customer can match a bill from a plurality of bills with a financial account, from a plurality of financial accounts, within the same GUI and generate an instruction for the first enterprise to perform the payment from the customer's selected financial account at the second enterprise to pay the bill at the third enterprise.

The Examiner further relies upon Working at Home wherein one software discussed, Kiplinger's CA-Simply Money, contains drag and drop buttons that allow a user to drag their checking account button and drop it on the electric company button to pay the electric bill (page 7, middle). Applicant argues that CA-Simply Money teaches that; " The buttons let you perform basic finance tasks, like printing checks, scheduling payments, alerting you of payments, or creating graphs and reports. You can also pay bills electronically using a bill payment service called *BillPay USA,* available through Prodigy." Applicant argues that said teaching in Working at Home is also a desk-top program for managing ones money containing no teaching of instructing outside entities to transfer funds by dragging and dropping icons, as claimed.

Applicant does not see a teaching in CA-Simply Money, or Prodigy which allows an instruction to be generated at a first enterprise to perform a payment from the customer's selected financial account at the second enterprise to pay the bill at the third enterprise by dragging an icon representing a financial account onto a bill. In the present teaching of CA-Simply Money, this type of action merely records a payment in the desk-

top software that a payment is made. It may even generate or print a check, but certainly does not generate an instruction for payment, as claimed.

Applicant believes that claims 32 and 37 are easily patentable over O'Leary and the balance of the art provided by the examiner. Claims 33, 35, 36 and 38-41 are patentable on their own merits, or at least as depended from a patentable claim.

Summary

As all of the claims, as amended and argued above, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
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